

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Criminal Minute Order

FILED

OCT 22 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

The Honorable Claudia Wilken, Presiding
Clerk: Sheilah Cahill
Court Reporter: Diane Skillman
Date: 10/22/08

Plaintiff: United States

v.

No. CR-08-00448 CW

Defendant: Pantelis Thomas (present - interpreter used)
Casilda Shipping
Genesis Sea Trading

Appearances for Plaintiff:
Wade Rhyne and Steve Corrigan

Appearances for Defendant:
Doug Schwartz for dft. Thomas
Michael Chalos by phone and Gregory Poulos for dfts. Casilda Shipping
& Genesis Sea Trading

Interpreter:
Christos Kolia (Greek)

Hearing: Change of Plea and Sentencing

Notes: Pantelis Thomas: Defendant enters under oath Rule 11(c)(1)(C) plea of guilty to Counts One and Fourth of the indictment charging Conspiracy to Knowingly Fail to Maintain and Accurate Oil Record Book for the M/V Rio Gold in violation of 18 USC 371; and Failing to Maintain an Oil Record Book for the Motor Vessel Rio Gold in violation of 33 USC 1908(a) and 33 CFR 151.25, respectively. Plea Agreement filed. Court finds factual basis for plea; Court accepts plea. Defendant waives his right to a PSR and requests immediate sentencing. Pursuant to Plea Agreement, Court finds Offense Level 4, Criminal History I, leading to a Guideline Range of 0-6 months. The Court sentences the defendant to 3 years unsupervised probation on each count to run concurrent under the usual terms and conditions. Defendant to pay \$5,000 fine and \$200 special assessment due immediately. Any remaining counts are dismissed. See J&C for details.

Casilda Shipping and Genesis Seatrading: Corporate defendants enter plea of guilty pursuant to Rule 11(c)(1)(C) to Counts One and Four of the Indictment charging them with Conspiracy to Knowingly Fail to Maintain and Accurate Oil Record Book for the M/V Rio Gold in violation of 18 USC 371; and Failing to Maintain an Oil Record Book

for the M/V Rio Gold in violation of 33 USC 1908(a) and 33 CFR 151.25, respectively. Plea Agreement filed. Court finds factual basis for plea; Court accepts plea. Defendants waive right to PSR and request immediate sentencing. Defendants are placed on 3 years organizational probation on each count to run current. Defendant Casilda will pay \$750,000 fine of which \$500,000 is due within 30 days and \$250,000 will be paid in installments as set forth in the PSR. \$250,000 of the initial amount shall be applied to community service and made payable to the National Fish and Wildlife Foundation Northern Coastal California Restoration Fund. Defendant Casilda to pay \$800 special assessment due immediately. No fine imposed as to Defendant Genesis; Genesis to pay \$800 special assessment due immediately. Defendant Genesis to adopt, implement and fund the Environmental Management System/Complaint Plan attached as Exhibit A to the Plea Agreement. Any remaining counts are dismissed. See J&C for details.

Copies to: Chambers